

**249H.7 Home and community-based services for seniors.**

1. The department on aging shall use funds appropriated from the senior living trust fund for activities related to the design, maintenance, or expansion of home and community-based services for seniors, including but not limited to adult day services, personal care, respite, homemaker, chore, and transportation services designed to promote the independence of and to delay the use of institutional care by seniors with low and moderate incomes. At any time that moneys are appropriated, the department on aging shall disburse the funds to the area agencies on aging.

2. The department on aging shall adopt rules, in consultation with the area agencies on aging, pursuant to chapter 17A, to provide all of the following:

a. (1) The criteria and process for disbursement of funds, appropriated in accordance with subsection 1, to area agencies on aging.

(2) The criteria shall include, at a minimum, all of the following:

(a) A distribution formula that triple weights all of the following:

(i) Individuals seventy-five years of age and older.

(ii) Individuals aged sixty and older who are members of a racial minority.

(iii) Individuals sixty years of age and older who reside in rural areas as defined in the federal Older Americans Act.

(iv) Individuals who are sixty years of age and older who have incomes at or below the poverty level as defined in the federal Older Americans Act.

(b) A distribution formula that single weights individuals sixty years of age and older who do not meet the criteria specified in subparagraph division (a).

b. The criteria for long-term care providers to receive funding as subcontractors of the area agencies on aging.

c. Other procedures the department on aging deems necessary for the proper administration of this section.

3. This section does not create an entitlement to any funds available for disbursement under this section and the department on aging may only disburse moneys to the extent funds are available and, within its discretion, to the extent requests for funding are approved.

4. Long-term care providers that receive funding under this section shall submit annual reports to the appropriate area agency on aging. The department on aging shall develop the report to be submitted, which shall include but is not limited to units of service provided, the number of service recipients, costs, and the number of units of service identified as necessitated but not provided.

5. The department on aging, in cooperation with the department of human services, shall provide annual reports to the governor and the general assembly concerning the impact of moneys disbursed under this section on the availability of long-term care services in Iowa. The reports shall include the types of services funded, the outcome of those services, and the number of individuals receiving those services.

2000 Acts, ch 1004, §7, 22; 2001 Acts, ch 64, §10; 2009 Acts, ch 23, §59; 2009 Acts, ch 41, §263; 2009 Acts, ch 182, §95 – 97